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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,585	12/18/2000	Jeffrey Morgan Alden	GP-300849	6363

7590 04/08/2004

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EXAMINER

CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/08/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,585

Applicant(s)

ALDEN ET AL.

Examiner

Joshua D Campbell

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Application filed on 12/18/2000 and IDS filed on 03/12/2001.
2. Claims 1-22 are pending in this case. Claims 1, 10, and 18 are independent claims.

Drawings

3. The drawings were received on 12/18/2000. These drawings are accepted.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-15, and 17-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Brandywine Software, LLC (hereinafter Brandywine, xINavigator web page published on September 28, 2000).

Regarding independent claim 1, Brandywine discloses a method in which cells in a spreadsheet are identified as data or calculation cells (Pages 3-4 of Brandywine). From this a visual representation is formed using data and calculation entities, which correspond to the cells (Pages 3-4 of Brandywine). The entities are positioned based

on a predetermined layout in which arrows connect the entities based on their corresponding relationship in the spreadsheet (Pages 3-4 of Brandywine). Brandywine also discloses that changes in the cells are detected and the entities are changed to reflect those changes in order to maintain a functional equivalence (Pages 3-4 of Brandywine).

Regarding dependent claim 2, Brandywine discloses that changes in the cells (including content changes) are detected and the entities are changed to reflect those changes in order to maintain a functional equivalence (Pages 3-4 of Brandywine).

Regarding dependent claims 3 and 4, Brandywine discloses that the user may configure the entities in a visually pleasing manner or allow the entities to be automatically configured based on an algorithm (Pages 3-4 and 7 of Brandywine).

Regarding dependent claims 5 and 6, Brandywine discloses that the appearance of each entity is based on its function, data entities into one shape and calculation into another shape (Pages 3-4 and 7 of Brandywine).

Regarding dependent claim 7, Brandywine discloses that multiple entities are created when a cell is used more than once in the spreadsheet (Pages 3-4 and 7 of Brandywine).

Regarding dependent claim 8, Brandywine discloses that entities are automatically deleted from the visual representation when the cells that correspond to them are removed from the spreadsheet (Pages 3-4 and 7 of Brandywine).

Regarding dependent claim 9, Brandywine discloses a method in which descriptive labels for each entity are identified (Pages 3-4 and 7 of Brandywine).

Regarding independent claim 10, Brandywine discloses a method in which cells in a spreadsheet are identified as data or calculation cells (Pages 3-4 of Brandywine). From this a visual representation is formed using data and calculation entities, which correspond to the cells (Pages 3-4 of Brandywine). The entities are positioned based on a predetermined layout in which arrows connect the entities based on their corresponding relationship in the spreadsheet (Pages 3-4 of Brandywine). Brandywine also discloses that changes in the cells and the entities are detected and the entities or cells are changed to reflect those changes in order to maintain a functional equivalence between the two (Pages 3-4 of Brandywine).

Regarding dependent claim 11, The entities are positioned based on a predetermined layout in which arrows connect the entities based on their corresponding relationship in the spreadsheet (Pages 3-4 of Brandywine).

Regarding dependent claims 12-15, the claims incorporate substantially similar subject matter as claims 3-7. Thus, the claims are rejected along the same rationale as claims 3-7.

Regarding dependent claim 17, Brandywine discloses a visual representation that would have been an influence diagram because by definition an influence diagram by the applicant is "An influence diagram is a graphical display that describes a system or operation as a series of images (bubbles, nodes, etc.) interconnected by arrows," which is what is shown by Brandywine (Pages 3-4 and 7 of Brandywine).

Regarding independent claim 18 and dependent claims 19-21, the claims incorporate substantially similar subject matter as claims 10-11 and 14-15. Thus, the claims are rejected along the same rationale as claims 10-11 and 14-15.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandywine Software, LLC (hereinafter Brandywine, xINavigator web page published on September 28, 2000).

Regarding dependent claims 16 and 22, Brandywine does not disclose a method in which deleting entities from the visual representation automatically deletes the corresponding cells from the spreadsheet. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to do this because it would be necessary to maintain a direct link between the visual representation and Excel spreadsheet cells as disclosed by Brandywine (Pages 3-4 of Brandywine).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent Number 5,835,758

US Patent Number 6,262,730

US Patent Application Publication 2002/0075270

US Patent Application Publication 2002/0078423

Sean Doolittle, Decision-Analysis Software, October 1999, Smart Computing

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

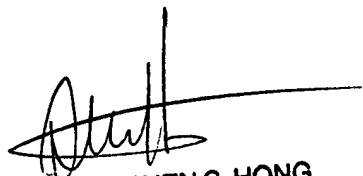
JDC

Application/Control Number: 09/740,585

Page 7

Art Unit: 2178

March 29, 2004



STEPHEN S. HONG
PRIMARY EXAMINER